

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
NOVEMBER 1, 2005
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:06 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Jose Alexandro Lozano, Melina Castro, Presi Ortega, Jr., Eddie Holguin, Jr., Steve Ortega and Beto O'Rourke. Absent: None. Late arrival: None. The invocation was given by Police Chaplain Ellen Fenter, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

1. HAMPTON UNIVERSITY WEEKEND
2. NATIONAL ALZHEIMER DISEASE MONTH
3. RECOGNITION OF CITY EMPLOYEES FOR YEARS OF SERVICE
4. HONORARY CITIZEN CERTIFICATES PRESENTED TO FOREIGN MILITARY STUDENTS

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/city_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

1. Ms. Lisa Turner, citizen, commented on Emergency Preparedness
Mayor Pro Tempore O'Rourke commented.
Ms. Joyce Wilson, City Manager, commented.
2. Mr. Javier Ventura, citizen, commented on Signs on Specials for TV Service along streets.

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

*Motion made by Mayor Pro Tempore O'Rourke, seconded Representative Byrd and unanimously carried to **APPROVE**, the Minutes for Regular City Council Meeting of October 25, 2005 and the Special City Council Meetings of October 24, (Development Process) and October 24, (Agenda Review), 2005.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Seventh Amendment to the Facilities Management and Tourism Agreement between the City of El Paso and SMG to provide for an additional year of management and operation services of the Visitor's Information Center located within the Airport Terminal Building at the El Paso International Airport.

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***R E S O L U T I O N**

WHEREAS, the Interlocal Agreement between the City of El Paso, the County of El Paso and the El Paso County Hospital District for the creation of the Mental Health Mental Retardation Community Center to direct the provision of certain mental health and mental retardation services in El Paso County required each entity to create a screening committee to review applications submitted by persons interested in an appointment to the Board of Trustees, and once created by the City, to forward qualified applications to the City Council for selection; and

WHEREAS, such a Screening Committee was created by the City Council by resolution dated April 24, 2001; and

WHEREAS, the Council now desires to change the make-up of the Screening Committee and to have the Committee's functions performed administratively, as such change will increase the efficiency and responsiveness of the Committee.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO

1. That the Resolution of the Council dated April 24, 2001, which previously created the Screening Committee, is repealed.
2. That the City Manager is directed to create and maintain a Screening Committee, to be composed of City staff and any other persons deemed appropriate by the City Manager.
3. The Committee shall review applications for appointments to the Community Center for El Paso. During its review, the Committee shall initially determine whether the qualifications for a particular appointment, as set forth in the Interlocal Agreement are met. From the qualified applicants, the Committee shall select a minimum of three and a maximum of five applicants, whose names and applications shall be forwarded to the City Council for the Council's consideration for appointment to each vacant Trustee position. In making their selections, the Committee shall evaluate the credentials, experience and desire to perform meaningful community service of each applicant, and submit to the City Council the names of those candidates whose applications demonstrate a high level of capabilities and good character.

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1st Motion

*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **MOVE TO THE REGULAR AGENDA** the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Contract between the **CITY OF EL PASO** and **WILLIAM L. LILLY, JR.**, to assist the Community and Human Development Department as a Neighborhood Services Manager at a biweekly rate of \$3,076.80 for 40 hours per week. The term of the contract shall be for the period of December 5, 2005 through December 4, 2006

Representatives Castro, Lozano, Holguin, O'Rourke, Steve Ortega and Presi Ortega, Jr. commented.

Ms. Joyce Wilson, City Manager, commented.

2ND and FINAL MOTION

Motion made by Mayor Pro Tempore O'Rourke, seconded by Presi Ortega, Jr. and carried to **APPROVE** the Resolution.

AYES: Representatives Byrd, Lozano, Presi Ortega, Jr. , Steve Ortega and O'Rourke

NAY: Representatives Castro and Holguin

NOT PRESENT FOR THE VOTE: Representative Lilly

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Manager be authorized to execute an agreement between the City of El Paso and United American Veterans Organization for the Veterans' Day Parade on November 12, 2005, which constitutes an important public purpose of benefit to the City and citizens of El Paso. The Agreement provides that the City will make available the necessary funds to cover the costs of the on-duty police traffic control assistance, not to exceed thirty-four (34) on-duty police officers and thirty-four (34) vehicles for the parade.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Consultant Services Agreement between the **CITY OF EL PASO** and **SUN CITY ANALYTICAL, INC** on an "as needed" basis to provide environmental engineering services for an amount not to exceed ONE HUNDRED FIFTY THOUSAND and NO/100 DOLLARS (\$150,000.00).

Ms. Joyce Wilson, City Manager, commented.

Mr. Ray Gilbert , citizen, commented.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a **Second Amendment** to an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **QUANTUM ENGINEERING**

CONSULTANTS, INC., for a project known as **"Indian Place, Wenda Way and Bowen Drive Street and Drainage Improvements"** for an amount not to exceed FOUR THOUSAND NINE HUNDRED NINETY-EIGHT and 23/100 DOLLARS (\$4,998.23).

Mr. Ray Gilbert, citizen commented.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manger be authorized to sign an Agreement for Engineering Services between the **CITY OF EL PASO** and **FRANK X. SPENCER AND ASSOCIATES, INC.**, for a project known as **"Davis Drive Street and Drainage Improvements Phase I"** for an amount not to exceed SEVENTY NINE THOUSAND NINE HUNDRED FORTY-THREE and NO/100 DOLLARS (\$79,943.00).

Mr. Ray Gilbert, citizen commented.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **DELETE** a Resolution that the Mayor is hereby authorized to sign a Letter of Agreement by and between the City of El Paso and the Electric Company regarding the City's acceptance of \$5,867,913 pertaining to Palo Verde Performance Rewards.

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*Motion made by Mayor Pro-Tempore O'Rouke, seconded by Representative Susie Byrd and unanimously carried to **DELETE** a Resolution that pursuant to Sections 33.07, 33.08 and 33.11 of the Texas Tax Code, the City hereby authorizes and imposes an additional penalty on delinquent taxes to defray attorneys fees and expenses related to collection of said taxes for tax years 2005 and subsequent years thereafter, in the amount of twenty percent (20%) of the delinquent tax, penalty and interest.

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*Motion made by Mayor Pro-Tempore O'Rouke, seconded by Representative Susie Byrd and unanimously carried to **DELETE** a resolution that the City Manager of the City of El Paso (the "City") be authorized to sign that certain Contract for the Collection of Delinquent Taxes entered into by the City, Delgado Acosta Spencer Linebarger & Perez, LLP, a Texas limited liability partnership of attorneys, and Linebarger, Goggan, Blair & Sampson, LLP, a Texas limited liability partnership, effective for all purpose as of 1st day of November, 2005.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign the following Easements without Warranty Deeds from the United States of America to the City of El Paso which will allow the City the following uses on property owned by the United States of America.

- Easement No. GS-07B-99076 Utility Easement
- Easement No. GS-07B-99077 Storm Sewer Easement
- Easement No. GS-07B-99079 Traffic Counter Easement
- Easement No. GS-07B-99080 Overhead Canopy Easement

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1st MOTION

*Motion made by Mayor Pro Tempore O'Rourke seconded by Representative Byrd and unanimously carried

to **MOVE TO THE REGULAR AGENDA** to confirm the appointment of Robert D. Andrade for the position of Executive Assistant (Mayor and Council) and that the salary be set at \$55,000 effective November 1, 2005.

Mayor John Cook and Representatives Holguin, Lozano, and Presi Ortega, Jr. commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. McNabb, City Attorney

Mr. Robert Andrade, citizen, commented

Mr. Tracy Jones, citizen, commented

2ND and FINAL MOTION

Motion made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega and carried that Robert D. Andrade be **APPOINTED** for the position of Executive Assistant (Mayor & Council) at an annual salary of \$55,000 effective November 1, 2005.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and carried that Yolanda Alameda be **APPOINTED** Director of Museums and Cultural Affairs, effective November 30, 2005 at an annual salary of \$109,000, car allowance, relocation expenses based

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Judge William Moody to the History Museum Board by Mayor John F. Cook.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Daniel Delahaye to the Historic Landmark Commission by Mayor John F. Cook.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** David Stone to the Information Technology Advisory Board by Mayor John F. Cook.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Mary Lysterly to the Parks and Recreation Advisory Board by Representative Ann Morgan Lilly.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** R. Brooks Vandivort to the Information Technology Advisory Board by Representative Ann Morgan Lilly.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** William Stafford Thurman to the Public Utility Regulation Board by Representative Susie Byrd.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Selena N. Solis to the Art Museum Advisory Board by Representative Susie Byrd.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Sergio Cabada to the Cable Communications Commission by Mayor Pro Tempore Beto O'Rourke.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried that the following tax refunds be **APPROVED**:

- A. Regina Garcia in the amount of \$10,000.00 overpayment of 2004 taxes.
(PID #P327-999-0060-3300).
- B. John Trien Realty in the amount of \$8,443.28 overpayment of 2004 taxes.
(PID #X581-999-2010-0107).
- C. Citifinancial in the amount of \$11,254.02 overpayment of 2004 taxes.
(PID #G569-999-0770-0100).

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request that the Deputy Director of Financial Services, Procurement Division be authorized to exercise the City's option to extend the term of the agreement for one (1) additional year, from December 20, 2005, through December 19, 2006, pursuant to the provisions of contract 2002-231 Automotive Glass, with Southwest Auto Glass, El Paso, Texas.

Option No.: One [of One]
Amount of Award: \$35,000 Not to Exceed
Account No.: 37370510-45202-503125
Funding Source: Internal Service Funds
Department: General Services

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** Change Order No. One (1) (Construction Change) to BXW Electrical Rebuilders, Inc. for Contract No. 2005-280, Fire Station No. 20 Driveway Improvements Project, located at 8301 Edgemere Blvd., for an increased amount of \$15,950.00. This change order adds 10 days to contract time. The purpose of this change order is to remove and relocate electrical lines under proposed concrete slab.

The revised scheduled completion date is November 12, 2005.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **AWARD** Best Value Procurement Solicitation No. 2005-255 Sale & Collection of Scrap Metals at Six Citizen Drop-Off Sites (Re-bid)

Award to: Sierra Metals, Inc.
Socorro, TX
Item(s): All
Amount: \$50,000.00 (estimated yearly)

Department: Environmental Services
Funds available: Revenue
Funding source: Revenue
Total award: \$150,000.00

Environmental Services and Financial Services, Purchasing Division, recommend awards as indicated to Sierra Metals, Inc., who provided the highest revenue percentage of the gross sales. Sierra Metals, Inc. is responsive, meets specifications and is City's best interest.

This is a thirty-six (36) month contract with the option to extend the term of this contract for one (1) additional year.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **AWARD** Bid Solicitation No. 2005-238 Police Duty Gear

Award to: Uniforms of Texas
El Paso, TX
Item(s): Group I (all), Group II (all), Group III (all)
Amount: \$54,700.00 (estimated annually)

Department: Police
Funds available: 21010060-503120
Funding source: Uniforms & Apparel Supplies
Total award: \$109,400.00 (estimated)

The Police and Financial Services-Procurement Division recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

The bid states the award to be given by Group as a result, the low bidder Southwest Law was considered non-responsive because it did not bid the requested or equal model on some of the requested items. To insure compatibility and uniformity of all items, all groups were awarded to Uniforms of Texas.

Vendor offers the City the option the to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

No prompt payment discount was offered.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **AWARD** Solicitation No. 2005-252 Northwest Service Center Fueling Station Canopy

Location: 4096 Doniphan Dr.
Contractor: El Paso A.R.C. Electric, Inc.
El Paso, TX

Department: General Services
Funds Available: 34010289-40403-505409
Funding Source: Solid Waste Management
(Damages-Settlements-Expense)
Items: Base Bid \$21,340.00
Total Award: \$21,340.00
Estimated Completion Date: December, 2005

The Departments of Engineering and General Services, recommend the award of this contract to El Paso A.R.C. Electric, Inc. the lowest responsible, responsive bidder. It is requested that the City Manager be authorized to sign the referenced contract.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not

increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** budget transfer BT2006-051 ENGINEERING

Engineering proposes to appropriate \$500,000 to the Building Condition Inventory. In accordance with Council recommendations of September 20, 2005 regarding CIP reprogramming of existing capital fund balances. Funding source is 1994A COs.

Decrease	\$500,000	from	31114001/P50131327042/508027	Construction
Increase	\$500,000	to	31114001/PMF0500227042/508016	CntrlDesign

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** budget transfer BT2006-052 ENGINEERING

Engineering proposes to appropriate \$125,000 to the Fire Facilities Master Plan. In accordance with Council recommendations of September 20, 2005 regarding CIP reprogramming of existing capital fund balances. Funding source is 1995 COs and 1997 COs.

Decrease	\$94,171.20	from	31131001/P50148827061/508027	Construction
Increase	\$94,171.20	to	31131001/PFI0500127061/508016	CntrlDesign
Decrease	\$30,828.80	from	31134001/P50152627101/508027	Construction
Increase	\$30,828.80	to	31134001/PFI0500127101/508016	CntrlDesign

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** budget transfer BT2006-054 ENGINEERING

Engineering proposes to appropriate \$100,000 to the Central Fire Station HVAC. In accordance with Council recommendations of September 20, 2005 regarding CIP reprogramming of existing capital fund balances. Funding source is 1998A COs.

Decrease	\$ 9,104.98	from	31135001/P50153627114/504405	OperCntgcy
Decrease	\$ 90,895.02	from	31135001/P50153627114/508027	Construction
Increase	\$100,000.00	to	31135001/PFI0600127114/508027	Construction

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** budget transfer BT2006-075 ENGINEERING

Engineering proposes to appropriate \$125,000 to the Police Facility Master Plan. In accordance with Council recommendations of September 20, 2005 regarding CIP reprogramming of existing capital fund balances. Funding source is 1998 COs.

Decrease	\$ 34,867.96	from	31135001/P50153627114/508027	Construction
Decrease	\$ 90,132.04	from	31135001/P50153627114/504405	OperCntgcy
Increase	\$125,000.00	to	31135001/PPD0500127114/508016	CntrlDesign

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** budget transfer BT2006-103 AIRPORT

Transfer of funds to cover the cost of installation of security equipment for the Terminal.

Increase	\$150,000	to	62620005/40101/502226	BldgFacMaint
Increase	\$150,000	to	62620005/40101/407001	IntrafndTrnsfln
Increase	\$150,000	to	62620018/P50000241021/407002	EstRevenue
Increase	\$150,000	to	62620018/P50000241021/507001	IntrafndTrnsfO

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** budget transfer BT2006-108 ENGINEERING

Engineering proposes to appropriate \$38,791 to fund installation of two school flashers. Both flashers are for Moye Elementary School. One on Dyer St. at Alps Dr. and the other on Diana Dr. at Alps Dr. Funding source is El Paso Independent School District.

Increase	\$38,791	to	31255005/PPW005227691/405067	ReimbExpend
Increase	\$38,791	to	31255005/PPW005227691/508027	Construction

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request of United American Veterans Organization to hold a Veterans Day parade on November 12, 2005 from 10:00 a.m. to 1:00 p.m. Route: Start on Myrtle at Florence, proceed on Myrtle to Kansas, turn left on Kansas to Overland, turn right on Overland to El Paso St., turn right on El Paso St. to Mills, turn right on Mills to Kansas, turn right on Kansas to Texas, turn left on Texas to Florence and disband. The review stand will be on the south side of San Jacinto Plaza facing Mills. Staging areas are on Myrtle at intersections of Ochoa, Virginia and St. Vrain. Approximately 1,500 persons, 30-40 vehicles, 5 military vehicles will take part and 2,500 spectators are anticipated. This request includes permission to use amplification (KBNA – 1 microphone and amplifier next to review stand). PERMIT # 05-160 [Ka Davis]

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request of Benito Martinez Elementary to hold a Veterans Day Parade & Ceremony on November 10, 2005 from 9:00 a.m. to 10:00 a.m. Route: Start at Benito Martinez Elementary on Robert Wynn to Tirres, turn left on Tirres to Kristy Weaver, turn left on Kristy Weaver to Nancy McDonald, turn right on Nancy McDonald to Spencer, turn left on Spencer to Lee Blvd., turn left on Lee Blvd. to Robert Wynn, turn left on Robert Wynn and finish at the school. Approximately 1,000 persons, 5 vehicles, 6 animals will take part and 500 spectators are anticipated.
PERMIT # 05-168 [Isabel Andresen]

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request of Celestina Cuellar to block off Olson between 800 and 821 on November 13, 2005 from 10:00 a.m. to 5:00 p.m. for a matachines block party. Approximately 100 persons, 25 vehicles will take part and 35 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT # 05-167 [Celestina Cuellar]

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request of Curves to hold a Foot Walk on November 5, 2005 from 8:00 a.m. to 10:30 a.m. Route: Start at Curves in Yarbrough Shopping Center on Yarbrough, go through shopping center to Vista Del Sol, turn right on Vista Del Sol to Lomaland, turn right on Lomaland to Rojas, turn left on Rojas to Sabina Way, turn right on Sabina Way to Tinseltown parking lot, go through Tinseltown parking lot to Las Palmas Market Place and finish at the Dress Barn clothing store. Approximately 25 persons and 2 vehicles will take part. PERMIT # 05-177 [Guadalupe Abbud]

*Motion made by Representative Presi Ortega, Jr., seconded by Representative Lozano and unanimously carried that the following Ordinances, having been **INTRODUCED** pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 (Schedule I - One-Way Streets) of the El Paso Municipal Code to add a Subsection identifying Main Drive, Westbound from a point 100 feet West of Oregon Street to El Paso Street, as a One-Way Street. The penalty is provided in Section 12.84.010 of the El Paso Municipal Code.
[Engineering – Traffic, Ted Marquez, (915) 541-4035]
- B. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Paragraph (A) of the El Paso Municipal Code, by adding two new locations on Main Drive, from Oregon Street to a point 100 feet West, North Side and Main Drive from a point 100 feet West of Oregon to El Paso Street, both sides. The penalty being as provided in Section 12.88.180 of the El Paso Municipal Code.
[Engineering – Traffic, Ted Marquez, (915) 541-4035]
- C. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules) Section 12.88.060 (Schedule VI - Parking Time limited on Certain Streets), of the El Paso Municipal Code to amend Paragraph "A" to identify the parking time limited to two hours between 8:00 A.M. and 6:00 P.M., except Sundays and Legal Holidays, on Boston Avenue from Stanton Street to a point 120 feet West thereof. The penalty being as provided in Section 12.84.010 of The El Paso Municipal Code.
[Engineering – Traffic, Ted Marquez, (915) 541-4035]
- D. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code to add subsections identifying the Speed Limit as Forty-Five miles per hour on Walter Jones Boulevard and George Perry Boulevard. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
[Engineering – Traffic, Ted Marquez, (915) 541-4035]
- E. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits) of the El Paso Municipal Code to add a subsection identifying the Speed Limit as Forty miles per hour on Founders Boulevard. The penalty is as provided in Section 12.84.010 of The El Paso Municipal Code.
[Engineering – Traffic, Ted Marquez, (915) 541-4035]
- F. An Ordinance amending Ordinance 8064 (the Classification and Compensation Plan) to revise Sections 2 (Classification Plan), 3 (Compensation Plan), 5 (Conditions of Employment) and 6 (Adjustment of Employee Complaints for Classification and Compensation Purposes); to update provisions to conform with recently revised Civil Service Rules Nos. 5 and 29; to streamline and clarify existing provisions and procedures covered by these sections; and to create a new procedure for resolving employee complaints pertaining to the application of this ordinance.
[Human Resources, Linda Ball Thomas, (915) 541-4509]
- G. An Ordinance changing the zoning of Lots 11 & 12, except the South 20 Feet, Block 2, Buena Vista Addition - Revised Plat, El Paso, El Paso County, Texas from C-2 (Commercial) to M-1 (Light Manufacturing). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 3494 Doniphan Drive. Applicant: Hipolito Zaldivar & Dario Rios. ZON05-00105
[Planning, Christina Valles, (915) 541-4930]

H. An Ordinance changing the zoning of a portion of Section 41, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from C-3/c (Commercial/condition) to R-5/c (Residential/condition). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 3300 Block of Saul Kleinfeld. Applicant: Camino Real Investments I, Ltd. ZON05-00086

[Planning, Christina Valles, (915) 541-4930]

I. An Ordinance granting Special Permit No. ZON05-00102, to allow for a Planned Residential Development on a portion of Section 41, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The Penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Ranchos Real IV, Ltd. ZON05-00102

[Planning, Christina Valles, (915) 541-4930]

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*Motion made Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **DELETE** the discussion and action regarding approval of Sales of Alcoholic Beverages at 9109 Dyer.

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NO ACTION WAS TAKEN regarding the discussion on policy considerations related to underage drinking in El Paso. Marge Bartoletti from the Rio Grande Safe Communities Coalition will present current data related to underage drinking and its impact in El Paso.

Mayor John Cook and Representatives Byrd and Steve Ortega commented:

The following City staff members commented:

Mr. Charlie McNabb, City Attorney

The following members of the public commented:

Marge Bartoletti
Lisa Turner
Mayor Bill Mattiace
Nick Rocha
Chief Armando Nava
Diane McCulloch
Maria Ofelia Robledo
Chita Guevara
Mike Quintana

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega and unanimously carried to **APPROVE** budget transfer BT2006-105 ENGINEERING

Engineering proposes to appropriate \$2,150,000 to Loop 375 Enhancement project. Funding source is reimbursed expenditures from TxDOT.

Increase	\$2,150,000	to	31255002/PST0500705791/508027 Construction
Increase	\$2,150,000	to	31255002/PST0500705791/405067 ReimbExpend

.....
Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega and unanimously carried to **APPROVE** Change Order No. 17 (Scope Change) to Byrne/Arrow Joint Venture for

The purpose of this change order is to perform upgrades and improvements to the Philanthropy Theatre in the amount of \$930,276.00 and Donor Plates for seating both in the Plaza and the Philanthropy Theatre in the amount of \$16,646.00. These changes will be funded solely by El Paso Community Foundation: 31255001-PPW0310-27697-508027 Construction Budget.

Representative Castro commented
Mr. Bryon Johnson, Deputy Director of Financial Services, commented.

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 14 (AIRCRAFT AND AIRPORTS), CHAPTER 14.16 (AIRPORT USE REGULATIONS) OF THE EL PASO MUNICIPAL CODE BY AMENDING SECTION 14.16.135, FUEL FLOWAGE FEES. THE PENALTY AS PROVIDED IN CHAPTER 1.08 OF THE EL PASO MUNICIPAL CODE.**

AYES: Council Members Lily, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: None Absent: None

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 14 (AIRCRAFT AND AIRPORTS), CHAPTER 14.24 (COMMERCIAL AIR CARRIERS RATES AND CHARGES), SECTION 14.24.020 (APPLICABILITY – COMPLIANCE REQUIRED) AND SECTION 14.24.030 (LANDING FEES) OF THE EL PASO MUNICIPAL CODE TO CLARIFY THE DESIGNATION OF A COMMERCIAL AIR CARRIER.**

AYES: Council Members Lily, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: None Absent: None

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV, SPEED LIMITS), OF THE EL PASO MUNICIPAL CODE TO ADD A SUBSECTION IDENTIFYING THE SPEED LIMIT AS**

FORTY MILES PER HOUR ON RICH BEEM BOULEVARD. THE PENALTY IS AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Presi Ortega, Jr., seconded by Mayor Pro Tempore O'Rourke, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: None Absent: None

NOT PRESENT FOR THE VOTE: Byrd

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....
ORDINANCE 16196

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.40 (DEPARTMENT OF MUSEUMS AND CULTURAL AFFAIRS), SECTION 2.40.010 (DEPARTMENT-CREATION-FUNCTIONS), SECTION 2.40.20 (FEES), TO ALLOW WAIVER AND REDUCTION OF FEES, SECTION 2.40.060 (ART MUSEUM ADVISORY BOARD-DUTIES) TO REVISE THE TITLE OF SECTION AND TO ADD SECTION 2.40.070 (CULTURAL AFFAIRS ADVISORY BOARD-DUTIES) OF THE EL PASO CITY CODE TO SPECIFY ADDITIONAL DUTIES AND FUNCTIONS OF THE DEPARTMENT AND TO RECREATE THE CULTURAL AFFAIRS ADVISORY BOARD AND SPECIFY ITS DUTIES; AND TO REPEAL ORDINANCES NOS. 14880 AND 15581.**

The City Clerk called for further public comment. There was no further public comment.

Representatives Castro, Byrd, O'Rourke and Lozano commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Lupe Cuellar, Assistant City Attorney
3. Mr. Charlie McNabb, City Attorney

Motion duly made by Representative Lozano, seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Lozano, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: Castro Absent: None

NOT PRESENT FOR THE VOTE: Byrd

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

ORDINANCE 16197

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A 2.7619 ACRE PORTION OF LOT 1, BLOCK 10, NEWPORT ESTATES UNIT TWO, EL PASO, EL PASO COUNTY, TEXAS FROM A-O/SC (APARTMENT-OFFICE/SPECIAL CONTRACT) TO C-1/SC (COMMERCIAL/SPECIAL CONTRACT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: None Absent: None

NOT PRESENT FOR THE VOTE: Lozano

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

ORDINANCE 16198

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00087, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON LOMA LINDA UNIT FOUR, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for further public comment. There was no further public comment.

Representatives Byrd and Presi Ortega, Jr. commented.

Mr. George Sarmiento, Deputy Director of Development Services, stated item was approved by the CPC and DCC. He gave a Powerpoint presentation and responded to questions and/or comments of the Council. (presentation on file in the City Clerk's office).

Motion duly made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: None Absent: None

NOT PRESENT FOR THE VOTE: Lozano

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

ORDINANCE 16199

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00089, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 5 TO 8, BLOCK 17, FRANKLIN HEIGHTS, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for further public comment. There was no further public comment.

The following City staff members commented

Mr. George Sarmiento, Deputy Director of Development Services, stated item was approved by the CPC and DCC. He gave a Powerpoint presentation and responded to questions and/or comments of the Council. (presentation on file in the City Clerk's office).

Motion duly made by Mayor Pro-Tempore O'Rourke, seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke
NAYS: None Absent: None
NOT PRESENT FOR THE VOTE: Lozano

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

ORDINANCE 16200

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO ANNE S. BURROWS PERMITTING THE ENCROACHMENT ONTO PUBLIC RIGHT-OF-WAY WITH A CANOPY LOCATED AT 312-318 SOUTH EL PASO STREET.**

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Mayor Pro Tempore O'Rourke, seconded by Representative Holguin, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Byrd, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke
NAYS: None Absent: None
NOT PRESENT FOR THE VOTE: Lilly, Lozano

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

ORDINANCE 16201

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION**

12.44.180B (REGULATIONS PERTAINING TO CERTAIN SPECIAL SITUATIONS) OF THE EL PASO MUNICIPAL CODE TO PROVIDE FOR RESERVED PARKING SPACES FOR GSA EMPLOYEES AND CONSTRUCTION WORKERS DURING SUCH TIMES AS SIGNS ARE POSTED BY TRAFFIC ENGINEERING. THE PENALTY BEING AS PROVIDED IN SECTION 1.08 OF THE EL PASO MUNICIPAL CODE.

The City Clerk called for further public comment. There was no further public comment.
Motion duly made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Byrd, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke
NAYS: None Absent: None
NOT PRESENT FOR THE VOTE: Lilly, Lozano

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....
NO ACTION WAS TAKEN regarding the Discussion and action on the Capital Improvement Program (CIP), including:

- Recommended capital budget and funding option.
- Debt service requirements for financing CIP & recommended capital budget.
- Policy recommendations on use of Certificates of Obligation, General Obligation Bonds, and other debt instruments.

Mayor Cook and Representatives Steve Ortega, Holguin, Presi Ortega, Jr., O'Rourke, Castro commented

The following City staff members commented:

1. Ms. Pat Adauto, Deputy City Manager for Development and Infrastructure Services give a Powerpoint presentation (presentation on file in the City Clerk's Office).
2. Ms. Joyce Wilson, City Manager
3. Mr. McNabb, City Attorney
4. Mr. William Studer, Deputy City Manager for Financial and Administrative Services

The following members of the public commented:

Ms. Lisa Turner
Mr. Ray Gilbert

Motion made by Representative Lozano, seconded by Representative Holguin and unanimously carried to **SUSPEND THE CITY COUNCIL RULES OF ORDER** to allow Mr. Gilbert an additional 2 minutes to address the Council.

.....
Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **DELETE** the following Executive Session item:

Workers' Compensation Subrogation Interest Regarding Scott Wakefield Graves.
(551.071)
.....

ADDITION TO THE AGENDA

*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Arne Schonberger to the City Accessibility Advisory Board by Mayor John F. Cook.

.....
Motion made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega and unanimously carried to **ADJOURN** this meeting at 12:24 p.m.
.....

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk